

the health and welfare of abused or neglected children, including instituting legal proceedings. The new clause (K) includes specific statutory reference to the authority to institute legal proceedings only because questions have occasionally been raised about the authority of particular child protective services agencies to take such actions in cases involving withholding of medically-indicated treatment from disabled infants with life-threatening conditions. Under new clause (K), States have the flexibility to determine the specific agency or agencies within their child protective services systems, to exercise that authority. State authority to utilize other agencies, in addition to the child protective services system, for these purposes would be unaffected by the legislation.

#### ADDITIONAL GRANTS TO STATES

The amendment (in section 201(c)(2)) would add a new subsection 4(c) to the Act to authorize the Secretary to make additional grants to the States for the purposes of developing, establishing, and operating or implementing (1) the procedures or programs required under the new clause (K), (2) information and education programs or training programs (for the purposes of improving the provision of services to disabled infants with life-threatening conditions) for professional and paraprofessional personnel concerned with the welfare of such infants, including personnel employed in child protective services programs and health-care facilities, and for parents of such infants, and (3) programs to help obtain or coordinate necessary services, including existing social and health services and financial assistance for families with disabled infants with life-threatening conditions as well as those services necessary to facilitate adoptive placement of such infants who have been relinquished for adoption.

#### REGULATIONS AND GUIDELINES

The amendment (in section 202) would direct the Secretary, within 90 days of the date of enactment, to publish for public comment proposed regulations to implement the requirements of the new clause (K), and to publish final such regulations within 180 days after enactment.

It also would direct the Secretary to publish, within 60 days after enactment, interim model guidelines to encourage the establishment within health-care facilities of committees which would serve the purposes of educating hospital personnel and families of disabled infants with life-threatening conditions, recommending institutional policies and guidelines concerning the withholding of medically indicated treatment from such infants, and offering counsel and review in cases involving disabled infants with life-threatening conditions. Not later than 150 days after the date of enactment and after notice and opportunity for public comment, the Secretary would be required to publish the model guidelines.

#### REPORT ON FINANCIAL RESOURCES

The amendment (in section 203) would require the Secretary to conduct a study to determine the most effective means of providing Federal financial support other than the use of funds provided through the Social Security Act, for the provision of medical treatment, general care, and appropriate social services for disabled infants with life-threatening conditions and report the results of such study to the appropriate committees of the Congress not later than 270 days after the date of enactment. The report to the appropriate Committees would also be required to contain such recommendations for legislation to provide such financial support as the Secretary considers appropriate.

#### TRAINING, TECHNICAL ASSISTANCE AND CLEARINGHOUSE ACTIVITIES

The amendment (in section 204) would direct the Secretary to provide, directly or through grants or contracts with public or private nonprofit organizations, for training and technical assistance programs to assist states in meeting the requirements of new clause (K) and for establishing and operating national and regional information and resource clearinghouses to provide the most current and complete information regarding medical treatment procedures and resources and treatment for disabled infants with life-threatening conditions. The funds to carry out these activities would be provided from the funds, other than those funds made available for basic States grants under section 4(b)(1), otherwise available to the Secretary to carry out activities under the Act (meaning the Child Abuse Prevention and Treatment Act).

#### STATUTORY CONSTRUCTION

The amendment (in section 205) would provide that no provision of or any amendment made by the Act is intended to affect any right or protection under section 504 of the Rehabilitation Act of 1973.

It would also provide that no provision of or any amendment made by the Act may be construed to authorize the Secretary or any other governmental entity to establish standards prescribing specific medical treatments for specific conditions, except to the extent that such standards are authorized by other laws.

It would also contain a standard severability provision in the event that a particular provision of or any amendment made by the Act is declared unconstitutional by a court.

#### AUTHORIZATION OF APPROPRIATIONS

The amendment (in section 206) would increase the authorization of appropriations—from the levels in the bill as reported (\$27 million for FY 1984, \$34 million for FY 1985, \$35.5 million for FY 1986, and \$37.08 million for FY 1987)—under the Act by \$5,000,000 for each fiscal year for the purpose of making the additional grants to the states to implement the provisions of new clause (K) and to establish the information and education and training programs and the programs to help obtain or coordinate necessary services for disabled infants with life-threatening conditions authorized under the new section 4(c).

The amendment would retain the earmark contained in S. 1003 as reported of \$9,500,000 in each fiscal year for the carrying out of the provisions of section 4(b)(1), relating to basic state grants, and \$4,000,000 in each fiscal year for identification, treatment, and prevention of sexual abuse.

It is the firm intention of the sponsors that appropriations for the new section 4(c) program should be in addition to appropriations at the authorization levels contained in the amendment for the section 4(b)(1) basic state grant program and for the sexual abuse, identification, treatment, and prevention program and that neither of these existing programs should be reduced in funding in order to provide funds for the new section 4(c) program.

#### EFFECTIVE DATES

The provisions of the Act and amendments made by the Act would be effective upon the date of enactment, except that the amendment establishing new clause (K) as a requirement for participation in the state grant program does not become effective until one year after the date of enactment.

The amendment further provides that in the event that, prior to the clause (K) effective date, funds have not been appropriated

pursuant to section 5 of the Act (as amended by section 104 of this Act) for the purpose of grants under new section 4(c), the Secretary may grant to any State which has not met the requirements of new clause (K) a waiver of such requirements for a period of not more than one year, if the Secretary finds that such State is making a good faith effort to comply with such provisions.

AUGUSTUS F. HAWKINS.

JOE GAYDOS.

MARIO BIAGGI.

PAUL SIMON.

GEO. MILLER.

AUSTIN J. MURPHY.

BALTASAR CORRADA.

PAT WILLIAMS.

DENNIS E. ECKART.

JOHN N. ERLÉNBERG.

BILL GOODLING.

TOM COLEMAN.

STEVE BARTLETT.

JOHN MCCAIN.

*Managers on the Part of the House.*

ORRIN HATCH.

JEREMIAH DENTON.

DON NICKLES.

EDWARD M. KENNEDY.

CHRIS DODD.

*Managers on the Part of the Senate.*

#### APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 4164, VOCATIONAL-TECHNICAL EDUCATION ACT OF 1984

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to appoint an additional conferee on the part of the House on H.R. 4164, the Vocational-Technical Education Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair hears none and, without objection, appoints the following additional conferee: Mr. TAUKE.

There was no objection.

#### CENTRAL INTELLIGENCE AGENCY INFORMATION ACT

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I and the order of the House of September 18, 1984, the unfinished business is the question de novo of suspending the rules and passing the bill, H.R. 5164, as amended, on which further proceedings were postponed on Monday, September 17, 1984.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts [Mr. BOLAND] that the House suspend the rules and pass the bill, H.R. 5164, as amended.

The question was taken.

#### RECORDED VOTE

Mr. WEISS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 369, noes 36, not voting 27, as follows:



[Roll No. 402]

## AYES—369

Addabbo  
Akaka  
Albosta  
Anderson  
Andrews (NC)  
Andrews (TX)  
Annunzio  
Anthony  
Applegate  
Archer  
Aspin  
Badham  
Barnard  
Barnes  
Bartlett  
Bateman  
Bates  
Bellenson  
Bennett  
Bereuter  
Berman  
Bevill  
Biaggi  
Bilirakis  
Billey  
Boehlert  
Boggs  
Boland  
Bonior  
Bonker  
Boraki  
Bosco  
Boucher  
Britt  
Brooks  
Broomfield  
Brown (CA)  
Brown (CO)  
Broyhill  
Bryant  
Burton (IN)  
Byron  
Campbell  
Carney  
Carper  
Carr  
Chandler  
Chappell  
Chapple  
Clarke  
Clinger  
Coats  
Coelho  
Coleman (MO)  
Coleman (TX)  
Collins  
Conce  
Cooper  
Corcoran  
Coughlin  
Coyne  
Craig  
Crane, Daniel  
Crane, Philip  
D'Amours  
Daniel  
Dannemeyer  
Darden  
Daschle  
Daub  
Davis  
de la Garza  
Derrick  
DeWine  
Dickinson  
Dicks  
Dingell  
Donnelly  
Downey  
Dreier  
Duncan  
Durbin  
Dwyer  
Dyson  
Early  
Eckart  
Edwards (AL)  
Emerson  
English  
Erdreich  
Erlenborn  
Evans (IA)  
Evans (IL)  
Fascell  
Fazio

Feighan  
Fiedler  
Fields  
Flaherty  
Filippo  
Florito  
Foglietta  
Gale  
Gephardt  
Gibbons  
Gilman  
Gingrich  
Glickman  
Gonzalez  
Goodling  
Gore  
Gradison  
Green  
Gregg  
Guarini  
Gunderson  
Hall (IN)  
Hall (OH)  
Hall, Ralph  
Hall, Sam  
Hamilton  
Hammerschmidt  
Hance  
Hansen (ID)  
Hansen (UT)  
Harkin  
Harrison  
Hartnett  
Hatcher  
Hefner  
Hefst  
Hertel  
Hightower  
Hiller  
Hillis  
Holt  
Hopkins  
Horton  
Howard  
Hoyer  
Huckaby  
Hughes  
Hunter  
Hutto  
Hyde  
Ireland  
Jacobs  
Jeffords  
Jenkins  
Johnson  
Jones (NC)  
Jones (OK)  
Jones (TN)  
Kaptur  
Kasich  
Kazen  
Kemp  
Kennelly  
Kildee  
Kindness  
Kleczka  
Kolter  
Kramer  
LaFalce  
Lagomarsino  
Lantos  
Latta  
Leach  
Lent  
Levin  
Levine  
Lewis (CA)  
Lewis (FL)  
Lipinski  
Livingston  
Lloyd  
Loeffler  
Long (LA)  
Long (MD)

Lott  
Lowery (CA)  
Lujan  
Luken  
Lundine  
Lungren  
Mack  
MacKay  
Madigan  
Marlenee  
Marriott  
Martin (IL)  
Martin (NC)  
Martin (NY)  
Martinez  
Matsui  
Mavroules  
Mazzeo  
McCain  
McCandless  
McCloskey  
McCollum  
McCurdy  
McDewen  
McEwen  
McHugh  
McKernan  
McKinney  
McNulty  
Mica  
Michel  
Mikulski  
Miller (CA)  
Miller (OH)  
Mineta  
Minish  
Moakley  
Molinar  
Mollohan  
Montgomery  
Moody  
Moore  
Morrison (WA)  
Mrasek  
Murtha  
Myers  
Natcher  
Neal  
Nelson  
Nichols  
Nielsen  
Nowak  
O'Brien  
Oskar  
Oberstar  
Obey  
Olin  
Ortiz  
Oxley  
Packard  
Panetta  
Parris  
Pashayan  
Pattman  
Patterson  
Pease  
Penny  
Pepper  
Petri  
Pickle  
Porter  
Price  
Pritchard  
Pursell  
Quillen  
Rahall  
Rangel  
Ratchford  
Ray  
Regula  
Reid  
Richardson  
Ridge  
Rinaldo  
Ritter  
Roberts  
Robinson  
Rodino  
Roe  
Roemer  
Rogers  
Rose  
Rostenkowski  
Roth  
Roukema  
Rowland

Rudd  
Russo  
Sabo  
Sawyer  
Schaefer  
Scheuer  
Schneider  
Schroeder  
Schulze  
Schumer  
Sensenbrenner  
Sharp  
Shaw  
Shumway  
Shuster  
Sikorski  
Siljander  
Sisisky  
Skeen  
Skellton  
Slattery  
Smith (FL)  
Smith (IA)  
Smith (NE)  
Smith (NJ)  
Smith, Denny  
Smith, Robert

Ackerman  
AuCoin  
Bedell  
Boxer  
Burton (CA)  
Clay  
Conyers  
Crockett  
Dellums  
Dixon  
Dorgan  
Dymally

Alexander  
Bethune  
Bonor  
Breaux  
Cheney  
Conable  
Courter  
Edwards (OK)  
Ferraro

## NOES—36

Edgar  
Edwards (CA)  
Fuqua  
Garcia  
Gray  
Hawkins  
Hayes  
Kastenmeier  
Kostmayer  
Leland  
Lowry (WA)  
Mitchell

## NOT VOTING—27

Gramm  
Kogovsek  
Leath  
Lehman (CA)  
Lehman (FL)  
Markay  
McGrath  
Moorhead  
Morrison (CT)

Vandergriff  
Vento  
Volkmmer  
Vucanovich  
Walgren  
Walker  
Watkins  
Waxman  
Wheat  
Whitehurst  
Whitley  
Whittaker  
Williams (MT)  
Winn  
Wirth  
Wise  
Wolf  
Wolpe  
Wortley  
Wright  
Wyden  
Yates  
Yatron  
Young (AK)  
Young (FL)  
Young (MO)  
Zschau

Murphy  
Oettinger  
Owens  
Paul  
Roybal  
Savage  
Seiberling  
Stark  
Torres  
Towns  
Weaver  
Weiss

Shannon  
Shelby  
Simon  
Studds  
Weber  
Whitten  
Williams (OH)  
Wilson  
Wyllie

call up House Resolution 579 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. Res. 579

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3082) to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of wetlands by the acquisition of wetlands and other essential habitat, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill for failure to comply with the provisions of section 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) are hereby waived. After general debate, which shall be confined to the bill and to the amendment made in order by this resolution and which shall continue not to exceed two hours, with one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries and thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs and thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on Merchant Marine and Fisheries, Interior and Insular Affairs, and Public Works and Transportation now printed in the bill, it shall be in order to consider the amendment in the nature of a substitute printed in the Congressional Record of September 11, 1984, by Representative Jones of North Carolina as an original bill for the purpose of amendment under the five-minute rule. Said substitute shall be considered for amendment by titles instead of by sections and each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of section 303(a) of the Congressional Budget Act of 1947 (Public Law 93-344), clause 7 of rule XVI, and clause 5(a) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to reconsider with or without instructions.

## □ 1610

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes, for purposes of debate only, to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

## □ 1600

Mr. TOWNS changed his vote from "aye" to "no."

Mr. GEJDENSON and Mr. MATSUI changed their votes from "no" to "aye."

So (two-thirds have voted in favor thereof) the rules were suspended, the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the Report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3755) "An act to amend titles II and XVI of the Social Security Act to provide for reform in the disability determination process."

## PROVIDING FOR CONSIDERATION OF H.R. 3082, EMERGENCY WETLANDS RESOURCES ACT OF 1983

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I